



Council Work Session - 6:30 p.m.

CITY COUNCIL AGENDA

Tuesday, February 3, 2015

7:00 p.m.

Coon Rapids City Center

Council Chambers

Call to Order

Pledge of Allegiance

1. Ward 4 Councilmember Appointment
2. Oath of Office Councilmember Jennifer Geisler

Roll Call

Adopt Agenda

Proclamations/Presentations

3. Senator Alice Johnson and Representative Jerry Newton

Approval of Minutes of Previous Meeting

4. Minutes of January 20, 2015

Consent Agenda

5. Authorize Execution of Amended Joint Powers Agreement - Street Maintenance Materials Contract
6. Authorize Execution of Joint Powers Agreement with the National Joint Powers Alliance
7. Approve Service Agreement with Alexandra House
8. Accept Resignation of Gary Wessling From the Board of Adjustment and Appeal and Declare a Vacancy on the Board of Adjustment and Appeals
9. Accept a Grant from MN Dept of Public Safety to Fund a Full-time DWI Officer

Public Hearing

10. Public Hearing Misc Assessment 2015-1 - Consider Resolutions 15-27 through 15-30 Misc Special Assessments

11. Hold Public Hearing on Establishment of Housing Improvement Area for Thousand Oaks IV Townhouses and Cons. Introduction of Ordinance

Bid Openings and Contract Awards

Old Business

12. Consider Adoption of Ordinance 2128, An Ordinance Revising Accreditation Requirements for Therapeutic Massage

New Business

13. Consider Approval of Resolution Approving Registered Land Survey, Deleo and RMS Company, 8600 Evergreen Blvd
14. Consider Introduction of Ordinance Adding Procedure for Approval of Ordinance Amendments
15. Consider Approval of Specifications for Purchase of Self Contained Breathing Apparatus for the Fire Department and Authorize Advertisement for Bids
16. Approve Specifications for Water Treatment Chemicals and Order Advertisement for Bids
17. Consider Resolution 15-31 Authorizing Sale of Tax-Forfeited Property
18. Consider Approval to Purchase Equipment for Golf Course
19. Consider Selection of Consultant to Perform Executive Search Services for City Manager Position
20. Consider Resolution 16-6(8) Approving Plans and Specifications and Ordering Advertisement for Bids - Project 15-6, 2015 Sanitary Sewer Lining
21. Consider Introduction of Ordinance Revising Temporary On-Sale Intoxicating Liquor Licenses

Open Mic/Public Comment

Reports on Previous Open Mic

Other Business

Adjourn



City Council Regular

1.

Meeting Date: 02/03/2015

Subject: Ward 4 Councilmember Appointment

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Council is asked to consider adoption of Resolution 15-32, a Resolution Appointing Jennifer Geisler to the Vacant Ward 4 Councilmember Seat.

DISCUSSION

At the January 5, 2015 City Council Meeting Council adopted Resolution 15-24 Declaring a Vacancy in the Office of Councilmember for Ward 4. At the same time by motion the Council agreed to solicit applications from interested persons to fill the Ward 4 vacancy. Council accepted applications until January 16, 2015 and then met in work session to interview applicants. Based on the discussion at the work session, staff has prepared Resolution 15-32, A Resolution Appointing Jennifer Geisler to the Vacant Ward 4 Councilmember Seat.

RECOMMENDATION

Adopt Resolution 15-32, A Resolution Appointing Jennifer Geisler to the Vacant Ward 4 Councilmember Seat.

Attachments

Resolution 15-32

RESOLUTION 15-32

**RESOLUTION APPOINTING JENNIFER GEISLER
TO VACANT WARD 4 COUNCILMEMBER SEAT**

WHEREAS, Councilmember Jerry Koch was elected to the Office of Mayor as of January 5, 2015; and

WHEREAS, by Resolution 15-24 adopted January 5, 2015, the City Council declared a vacancy in the office of Councilmember from Ward 4; and

WHEREAS, City Charter Section 1-205 provides that vacancies on the City Council may be filled either by appointment until the next regular election, or by special election for the balance of the unexpired term; and

WHEREAS, City Charter Section 1-203 also requires that Ward Councilmembers be registered voters and live in the Ward they serve; and

WHEREAS, the City Council has determined that it is in the best interests of the City, and particularly the citizens from Ward 4, to fill the vacancy by appointment to avoid the delays and expenses of a special election.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coon Rapids, Minnesota that Jennifer Geisler is hereby appointed to the Office of Councilmember from Ward 4.

BE IT FURTHER RESOLVED that this appointment shall be effective immediately following the adoption of this Resolution and pending the administration of the Oath of Office required by Charter.

BE IT FURTHER RESOLVED that upon appointment to the office of Councilmember from Ward 4, Jennifer Geisler will serve in that capacity until the expiration of the current term of that office, December 31, 2016.

Adopted by the Coon Rapids City Council this 3rd day of February, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

2.

Meeting Date: 02/03/2015

Subject: Oath of Office Councilmember Jennifer Geisler

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Judge Tammi Fredrickson will be present to administer the Oath of Office to Councilmember Geisler.

DISCUSSION

RECOMMENDATION

Attachments

Oath of Office



OATH OF OFFICE

STATE OF MINNESOTA)
COUNTY OF ANOKA) ss
CITY OF COON RAPIDS)

I, Jennifer Geister, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Minnesota, and discharge faithfully the duties of the office of City Councilmember for the City of Coon Rapids in the County of Anoka and State of Minnesota, to the best of my judgment and ability.

Jennifer Geisler

WITNESSED:

Tammi A. Fredrickson
Filed this 3rd of February, 2015.



City Council Regular

3.

Meeting Date: 02/03/2015

Subject: Senator Alice Johnson and Representative Jerry Newton

From: Joan Lenzmeier, City Clerk

INTRODUCTION

DISCUSSION

RECOMMENDATION



City Council Regular

4.

Meeting Date: 02/03/2015

SUBJECT: Minutes of January 20, 2015

Attachments

January 20, 2015 Minutes

UNAPPROVED

COON RAPIDS CITY COUNCIL MEETING MINUTES OF JANUARY 20, 2015

CALL TO ORDER

The second regular meeting of the Coon Rapids City Council for the month of January was called to order by Mayor Jerry Koch at 7:00 p.m. on Tuesday, January 20, 2015, in the Council Chambers.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Koch led the Council in the Pledge of Allegiance.

OATH OF OFFICE

Mayor Koch administered the Oath of Office to newly elected Councilmember Brad Johnson. A round of applause was offered by all in attendance.

ROLL CALL

Members Present: Mayor Jerry Koch, Councilmembers Ron Manning, Wade Demmer, Brad Johnson and Steve Wells

Members Absent: Councilmembers Denise Klint

ADOPT AGENDA

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT THE AGENDA AS AMENDED ADDING CONSENT AGENDA ITEM 3A. THE MOTION PASSED UNANIMOUSLY.

PROCLAMATIONS/PRESENTATIONS

None.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

1. DECEMBER 16, 2014, COUNCIL MEETING
 2. JANUARY 5, 2015, COUNCIL MEETING
-

UNAPPROVED

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER MANNING, FOR APPROVAL OF THE MINUTES OF THE DECEMBER 16, 2014, COUNCIL MEETING. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER WELLS, FOR APPROVAL OF THE MINUTES OF THE JANUARY 5, 2015, COUNCIL MEETING. THE MOTION PASSED 4-0-1 (MANNING ABSTAINED).

CONSENT AGENDA/INFORMATIONAL BUSINESS

3. APPROVE JOINT POWERS AGREEMENT WITH ANOKA COUNTY FOR CONSTRUCTION AND MAINTENANCE OF WILDERNESS TRAIL
 - 3A. APPROVE PLANS AND SPECIFICATIONS AND ORDER ADVERTISEMENT FOR BIDS FOR THE WILDERNESS TRAIL PROJECT
 4. APPROVE SETTLEMENT AGREEMENT WITH CREEKSIDE ESTATES AND AUTHORIZE EXECUTION OF AGREEMENT
 5. PROJECT 13-25: APPROVE CHANGE ORDER AND FINAL PAYMENT TO INSITUFORM TECHNOLOGIES USA, INC. FOR \$25,821.14 FOR SANITARY SEWER LINING
 6. APPROVE ISSUANCE OF A CLASS A ON-SALE AND SUNDAY LIQUOR LICENSE TO RAPIDS GRILL, LLC, D/B/A BOULEVARD BAR & GRILLE, 3395 COON RAPIDS BOULEVARD, EFFECTIVE MARCH 1, 2015 CONTINGENT UPON OBTAINING A CERTIFICATE OF OCCUPANCY AND AN ANOKA COUNTY FOOD SERVICE LICENSE
-

Councilmember Wells requested further information on the Wilderness Trail project. Public Works Director Himmer explained that the City received a DNR grant for \$65,000, which would assist with the completion of a trail at 121st near the Fire Station. Staff was proposing to put the project out for bid in February in hopes of completing the project this summer.

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER MANNING, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING

None.

BID OPENINGS AND CONTRACT AWARDS

None.

OLD BUSINESS

7. CONSIDER ADOPTION OF ORDINANCE 2127, AN ORDINANCE REVISING CABLE TELEVISION FRANCHISE

The Staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT ORDINANCE 2127 FORMALIZING AMENDMENTS TO THE CABLE FRANCHISE AGREEMENT. THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

8. CONSIDER INTRODUCTION OF ORDINANCE REVISING THE ACCREDITATION REQUIREMENTS FOR THERAPEUTIC MASSAGE THERAPISTS

The Staff report was shared with Council.

Councilmember Johnson was pleased that the City would now require 400 hours of training as a prerequisite for therapeutic masseuses. He questioned if the new requirements would disqualify current massage therapists.

Mayor Koch recommended staff investigate this further and report back to the Council at the February 3, 2015 City Council meeting.

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER JOHNSON, TO INTRODUCE AN ORDINANCE REVISING THE ACCREDITATION REQUIREMENTS FOR THERAPEUTIC MASSAGE THERAPISTS. THE MOTION PASSED UNANIMOUSLY.

9. 2014-2015 INSURANCE RENEWALS, CONSIDER:
- A. PURCHASING INSURANCE THROUGH THE LMCIT WITH A \$50,000 DEDUCTIBLE UP TO AN ANNUAL AGGREGATE OF \$200,000
 - B. MAINTAINING STATUTORY LEGAL LIMITS OF \$1.5 MILLION PER OCCURRENCE
 - C. DIRECT STAFF ON THE PURCHASE OF NO FAULT SEWER BACK UP INSURANCE BY EITHER SELECTING OPTION 1 OR 2:
 - 1. ADOPT RESOLUTION 15-26 PURCHASING SEWER BACKUP LIABILITY INSURANCE, OR
 - 2. ADOPT RESOLUTION 15-26A DECLINING THE PURCHASE OF OPTIONAL SEWER BACKUP LIABILITY INSURANCE
-

The Staff report was shared with Council.

Councilmember Manning asked which deductible staff supported. Finance Director Legg supported the \$50,000 deductible.

Councilmember Manning supported the purchase of no-fault insurance as it assisted homeowners in a difficult situation.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER WELLS, TO PURCHASING INSURANCE THROUGH THE LMCIT WITH A \$50,000 DEDUCTIBLE UP TO AN ANNUAL AGGREGATE OF \$200,000; MAINTAIN STATUTORY LEGAL LIMITS OF \$1.5 MILLION PER OCCURRENCE; AND TO DIRECT STAFF ON THE PURCHASE OF NO FAULT SEWER BACK UP INSURANCE BY ADOPTING RESOLUTION 15-26 PURCHASING SEWER BACKUP LIABILITY INSURANCE.

Councilmember Demmer questioned the extra expense of the no-fault insurance. Finance Director Legg reported this insurance would cost the City \$16,834 and the expense would come out of the Sewer Fund.

Councilmember Manning recommended the City explore other options for no-fault insurance. He suggested that staff pursue the option of self-insuring to reduce the overall expense to the City. Finance Director Legg reported she would come back to the Council with additional information at a future meeting.

THE MOTION PASSED UNANIMOUSLY.

OPEN MIC/PUBLIC COMMENT

Mayor Koch reviewed the rules of order for the Open Mic/Public Comment portion of the meeting.

Jeffrey Kozman, 3049 116th Avenue NW, suggested the City consider hosting a job fair for the businesses in Coon Rapids. He believed this would be beneficial to the City as it would make local residents aware of local jobs.

Jerry Pierce, 12236 Partridge Street NW, congratulated Councilmember Johnson on his recent election to the City Council. He explained that he did not receive a report from City staff after the last Council meeting. He requested the Council investigate the salaries that are being paid to the Community Development Directors. He believed that staff was being overpaid.

Mayor Koch thanked Mr. Pierce for his comments, called for order and Mr. Pierce was escorted out of the Council Chambers.

REPORTS ON PREVIOUS OPEN MIC

10. OPEN MIC REPORT – JERRY PIERCE OF 12236 PARTRIDGE STREET NW

Mayor Koch discussed Mr. Pierce's comments made during Open Mic at the January 5, 2015 Council meeting.

OTHER BUSINESS

City Manager Gatlin explained he would be retiring from the City of Coon Rapids effective Friday, May 29, 2015. He recommended the Council hire an outside search firm to assist the Council with finding a new City Manager.

Councilmember Manning thanked City Manager Gatlin for his dedicated service to the City of Coon Rapids.

Mayor Koch reviewed the events scheduled for Snowflake Days. He indicated the 2nd Annual North Stars Alumni Hockey Game versus the Guns and Hoses team would be held on January 24th.

ADJOURN

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER JOHNSON, TO ADJOURN THE MEETING AT 7:44 P.M. THE MOTION PASSED UNANIMOUSLY.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

5.

Meeting Date: 02/03/2015

Subject: Authorize Execution of Amended Joint Powers Agreement - Street Maintenance Materials Contract

Submitted For: Tim Himmer, Public Works Director **From:** Cher Ridout, Admin Secretary II

INTRODUCTION

In 2004 a group of cities joined together to form the North Metro Regional Street Maintenance Consortium. The purpose of the group was to combine maintenance service contracts in an effort to obtain a financial benefit for maintaining city streets.

DISCUSSION

In 2004, the cities of Coon Rapids, Andover, Brooklyn Center, Columbia Heights and Fridley joined together to solicit bids for street maintenance services. The Joint Powers Agreement was amended in 2006, 2008, 2010, and 2011 when Ham Lake, East Bethel, Anoka, and Mahtomedi joined the group.

The group met in December 2014 to discuss program operations in 2014 and 2015. The JPA contains an option of opting out of the program 60 days after the contract award. The members discussed shortening the opting out period from 60 days to 30 days. It is the consensus of the group to amend the JPA to a 30 day opting out period. If the Coon Rapids Council approves the amended JPA, the agreement will be forwarded to the participating cities for execution. The amended JPA is attached for consideration.

RECOMMENDATION

It is recommended the City Council authorize execution of the Sixth Amendment to Joint Powers Agreement revising the opting out period from 60 days to 30 days for the Street Maintenance Program.

Attachments

Sixth Amendment to JPA

SIXTH AMENDMENT TO JOINT POWERS AGREEMENT

TRAFFIC MARKINGS, STREET SWEEPING CRACK SEALING, SCREENING AND SEAL COATING

This Sixth Amendment to Joint Powers Agreement (“Sixth Amendment”) is by and between the cities of Anoka, Andover, Brooklyn Center, Circle Pines, Columbia Heights, Coon Rapids, East Bethel, Fridley, Ham Lake, and Mahtomedi and (hereinafter individually the “City” and collectively the “Cities”).

WHEREAS, the Cities shall collectively be known as the North Metro Regional Street Maintenance Consortium.

WHEREAS, on February 1, 2005 the cities of Coon Rapids, Andover, Brooklyn Center, Columbia Heights and Fridley entered into a Joint Powers Agreement pursuant to Minn. Stat. §471.59 for the purpose of combining together for bidding purposes for street maintenance services (hereinafter the “Joint Powers Agreement”); and

WHEREAS, the City of Ham Lake joined the Joint Powers Agreement in August, 2006 by an agreement entitled First Amendment to Joint Powers Agreement (hereinafter the “First Amendment”); and

WHEREAS, the Cities in the First Amendment, paragraph 3, authorized the City of Coon Rapids to allow a new member City to join the Joint Powers Agreement when, in its sole discretion, the City of Coon Rapids determines that it is in the best interest of the Cities to allow the new member City to join; and

WHEREAS, the City of East Bethel joined the Joint Powers Agreement in February, 2008 by agreement entitled Second Amendment to Joint Powers Agreement (hereinafter the “Second Amendment”); and

WHEREAS, the City of Anoka joined the Joint Powers Agreement in March, 2010 by agreement entitled Third Amendment to Joint Powers Agreement (hereinafter the “Third Amendment”); and

WHEREAS, the City of Mahtomedi joined the Joint Powers Agreement in January, 2011 by agreement entitled Fourth Amendment to Joint Powers Agreement (hereinafter the “Fourth Amendment”); and

WHEREAS, the City of Circle Pines joined the Joint Powers Agreement in March, 2011, By agreement entitled Fifth Amendment to Joint Powers Agreement (hereinafter the “Fifth Amendment”); and

WHEREAS, the Cities met on December 2, 2014 and agreed to amend the opting out period in the Joint Powers Agreement.

NOW, THEREFORE, by virtue of the powers granted by law and in consideration of the mutual covenants and agreements of the parties hereto, it is agreed as follows:

1. Definitions. All capitalized terms, not otherwise separately defined herein, shall have the meanings ascribed to them in the Joint Powers Agreement.
2. Opting Out. Paragraph 4 of the Joint Powers Agreement is hereby amended to the parties hereto recognize that municipal funding sources and spending priorities may change throughout the bidding and award process. In recognition thereof, within thirty (30) days after a bid has been awarded, a City may opt out of any individual bid award and contract by providing written notice to the Director of Public Works, City of Coon Rapids, 11155 Robinson Drive, Coon Rapids, MN 55433.
3. Full Force and Effect. Except as expressly amended herein, the terms and provision contained in the Joint Powers Agreement and its Amendments shall continue to govern the rights and obligations of the Cities, and the Joint Powers Agreement and its Amendments shall remain in full force and effect.

[Signatures on following pages]

IN WITNESS WHEREOF, the Anoka, Andover, Brooklyn Center, Circle Pines, Columbia Heights, Coon Rapids, East Bethel, Fridley, Ham Lake, and Mahtomedi have caused this Amendment to be executed by the duly authorized officers of their respective governing bodies.

Dated: _____

CITY OF COON RAPIDS

By: _____
Jerry Koch, Mayor

By: _____
Steven D. Gatlin, City Manager

Dated:_____

CITY OF ANOKA

By:_____

Mayor

By:_____

City Manager

Dated:_____

CITY OF ANDOVER

By:_____

Mayor

By:_____

City Clerk

Dated:_____

CITY OF BROOKLYN CENTER

By:_____

Mayor

By:_____

City Manager

Dated:_____

CITY OF CIRCLE PINES

By:_____

Mayor

By:_____

City Administrator

Dated:_____

CITY OF COLUMBIA HEIGHTS

By:_____

Mayor

By:_____

City Manager

Dated:_____

CITY OF EAST BETHEL

By:_____

Mayor

By:_____

City Administrator

Dated:_____

CITY OF FRIDLEY

By:_____

Mayor

By:_____

City Manager

Dated:_____

CITY OF HAM LAKE

By:_____

Mayor

By:_____

City Administrator

Dated:_____

CITY OF MAHTOMEDI

By:_____

Mayor

By:_____

City Manager



City Council Regular

6.

Meeting Date: 02/03/2015

Subject: Authorize Execution of Joint Powers Agreement with the National Joint Powers Alliance

Submitted For: Tim Himmer, Public Works Director **From:** Cher Ridout, Admin Secretary II

INTRODUCTION

The City Council is being asked to enter into the attached Joint Powers Agreement with the National Joint Powers Alliance.

DISCUSSION

The National Joint Powers Alliance (NJPA) is a public agency that was established to serve their member communities as a municipal contracting agency. They operate under the enabling authority of Minnesota Statute 123A.21, which was created to allow participating governmental & education agencies the ability to reduce the cost of purchasing equipment and products by leveraging their combined national purchasing power through cooperative efforts. NJPA establishes and provides nationally leveraged and competitively solicited purchasing contracts under the guidance of the Uniform Municipal Contracting Law.

As a member agency the City of Coon Rapids may forgo the competitive bidding process to purchase supplies, materials, equipment or services. It is currently being viewed as a cost savings measure for purchasing select materials for the pending Sand Creek Park redevelopment project, but has applications with various other projects as well. If approved, staff would be utilizing this authority to directly purchase sports lighting, playground structures, hockey boards, and skateboard equipment.

RECOMMENDATION

Staff recommends that the City Council approve the Joint Powers Agreement (JPA), and authorize staff to execute the agreement.

Attachments

JPA

JOINT EXERCISE OF POWERS AGREEMENT



This Agreement is Between the National Joint Powers Alliance® (NJPA) and

(participating governmental agency)

Agreement. The participants in this Joint Exercise of Powers Agreement, hereinafter referred to as the Agreement, agree to jointly or cooperatively exercise certain powers common to them for the procurement of various goods and services by the participants. The term “governmental agency” as defined and used in this Agreement, includes any city, county, town, school district, education agency, post-secondary institution, governmental agency or other political subdivision of any agency of any state of the United States or any other country that allows for the Joint Exercise of Powers, and includes any instrumentality of a governmental agency. For the purpose of this section, an instrumentality of a governmental agency means an instrumentality having independent policy making and appropriating authority.

Purpose. The purpose of this Agreement is to allow for the cooperative efforts to provide for contract and vendor relationships to purchase supplies, materials, equipment or services (hereinafter referred to as goods and services,) as a result of the current and active competitive bidding process exercised by a legal qualifying bidding agency on behalf of governmental and other qualifying agencies. Qualified customers may forgo the competitive bidding process as a result of this action and process provided on the agencies behalf. Reference the Uniform Municipal Contracting Law MN Statute 471.345 subd 15. This provision is made possible as a result of the purchasing contract development through a national governmental agency association’s purchasing alliance.

Whereas, parties to this Agreement are defined as governmental agencies in their respective states;

and Whereas, this Agreement is intended to be made pursuant to the various Joint Exercise of Powers Acts of the states or nations of the respective participating governmental agencies which authorizes two or more governmental agencies to exercise jointly or cooperatively powers which they possess in common;

and Whereas, the undersigned Participating Governmental Agency asserts it is authorized by Intergovernmental Cooperation Statutes to enter into an agreement with NJPA to cooperate in procurement of goods and services; and Whereas, NJPA asserts it is a Minnesota Service Cooperative created and governed under Minnesota Statute §123A.21 authorized by Minnesota Statute §471.59 to “jointly or cooperatively exercise any power common to the contracting parties”;

and Whereas, the undersigned Participating Governmental Agency and NJPA desire to enter into a “Joint Exercise of Powers Agreement” for the purpose of accessing available purchasing contracts for goods and services from each other which can be most advantageously done on a cooperative basis;

Now Therefore, it is mutually agreed as follows:

1. The Parties to this agreement shall provide in a cooperative manner access to each other’s purchasing efforts to procure supplies, equipment, materials and services hereinafter referred to as "goods and services",
2. The Parties to this Agreement will adhere to any and all applicable laws pertaining to the purchasing of goods and services as they pertain to the laws of their state or nation,
3. Either Party to this Agreement may terminate their participation in this Agreement upon thirty (30) days written notice,
4. Neither Party to this Agreement claims any proprietary interest of any nature whatsoever in any of the other participants in this Agreement
5. Each party agrees that it will be responsible for its own acts and the result thereof to the extent authorized by law and shall not be responsible for the acts of the other party and the results thereof. NJPA’s liability shall be governed by the provisions of the Minnesota Tort Claims Act, Minnesota Statutes, Section §3.736, and other applicable law;

JOINT EXERCISE OF POWERS AGREEMENT



6. Both Parties to this Agreement agree to abide by all of the general rules and regulations and policies of the participating agencies that they are receiving goods and services from;
7. Both Parties to this Agreement agree to strict accountability of all public funds disbursed in connection with this joint exercise of powers;
8. Both Parties to this Agreement agree to provide for the disposition of any property or surplus moneys (as defined by the participant) acquired as a result of this joint exercise of powers in proportion to the contributions of the governing bodies and;
9. Both Parties to this Agreement acknowledge their individual responsibility to gain ratification of this agreement through their governing body.

This Agreement allows for the NJPA to provide procurement contracts on behalf of all qualified participating agencies pursuant to the Uniform Municipal Contracting law, MN Statute §471.345 Subd 15.

ORGANIZATION INFORMATION (** Required Fields)

Applicant Name: ** _____
Address: ** _____
City, State, Zip ** _____
Federal ID Number: _____
Contact Person: ** _____
Title: ** _____
E-mail: ** _____
Phone: _____
Website: _____

Reference:
Minnesota Joint Exercise of Powers
M.S. 471.59

Participating Agency
Joint Exercise of Powers Authority
granted under State Statute

THE UNDERSIGNED PARTIES HAVE AGREED THIS DAY TO THE ABOVE CONDITIONS.

Member Name:

National Joint Powers Alliance®

By _____
AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

Its _____
TITLE

TITLE

DATE

DATE

Completed applications may be returned to:

National Joint Powers Alliance ®
202 12TH Street NE
Staples, MN 56479

Duff Erholtz

Phone: 218-894-5490

Fax: 218-894-3045

E-mail: duff.erholtz@njpacoop.org

5/29/2012



City Council Regular

7.

Meeting Date: 02/03/2015

Subject: Approve Service Agreement with Alexandra House

Submitted For: Melissa Westervelt, Assistant City Attorney

From: Kim Reid, Administrative Legal Assistant

INTRODUCTION

Council is asked to approve the proposed service agreement between the City and Alexandra House which provides the City pay Alexandra House an amount of \$10,000 in 2015. In exchange, Alexandra House will provide its support services, shelter and advocacy to the City.

DISCUSSION

Alexandra House is a non-profit corporation that is Anoka County's only women's shelter. It provides a 24 hour shelter, support services, advocacy, educational opportunities to women and their children in the City and Anoka County. Alexandra House also works with the Police Department and the City Attorney's Office with domestic violence cases. Alexandra House has made a request for financial assistance for the services it provides to the City. The Council at its regular meeting on December 2, 2014, did appropriate \$10,000.00 to the Alexandra House in the 2015 budget for these services. This service agreement reduces the parties' wishes to writing. This agreement is for one year and can be terminated by either party with 30 days notice.

RECOMMENDATION

Council approve the City to enter into a service agreement with Alexandra House to provide, shelter, support services and advocacy to women and their children in the City.

Attachments

Service Agreement

AGREEMENT

THIS AGREEMENT made and entered into this 21st day of February, 2015 by and between Alexandra House and the City of Coon Rapids, a municipal corporation under the laws of the State of Minnesota, hereinafter referred to as "City"

WITNESSETH:

WHEREAS, Alexandra House is a non-profit corporation which provides direct service and systems advocacy to victims of domestic and sexual assault and their families in the City of Coon Rapids including criminal and civil court advocacy, crisis intervention, support, general advocacy, referral and education; 24 hour emergency shelter; collaboration with police and prosecution on behalf of victims of domestic and sexual assault;

WHEREAS, Alexandra House is the only shelter within Anoka County that provides these services; and

WHEREAS, Alexandra House provides assistance to the Police Department and the City in the area of public safety; and

WHEREAS, collaboration and cooperation between the City and Alexandra House in providing services is beneficial to both parties as well as the citizens of Coon Rapids and victims of domestic and sexual assault; and

WHEREAS, Alexandra House desires financial support for its services; and

WHEREAS, the parties have entered into this Agreement to outline the scope and limitations of the collaboration between the parties.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. While recognizing that the Alexandra House advocacy and shelter services are apart from services provided by the City, the city recognizes the value of these advocacy and shelter services to its citizens. Accordingly the City will compensate Alexandra House the sum Ten Thousand (\$10,000) Dollars in 2015 payable in one payment upon a receipt of an invoice from Alexandra House;
2. Nothing in this Agreement is intended to create an agency relationship between Alexandra House and the City or an agency or employment agreement between the City and any advocate employed by Alexandra House;
3. The advocacy and shelter services provided by Alexandra House are separate from those services provided by the City of Coon Rapids. No Alexandra House employee (including an advocate) will be considered to be (and may not represent that they are) an employee, representative or agent of the City and will not act for or on behalf of the City. The


advocate, as an employee of Alexandra House, is subject to the exclusive control and direction of Alexandra House. In addition, Alexandra House will retain control over the equipment, supplies, operations, material, files, data or other information collected or utilized by Alexandra House or its advocate(s) in providing these services;

4. The City of Coon Rapids or its officers, employees, representative or agents will not have authority to direct or assign Alexandra House employees (including advocate(s)) or representatives or to access files, data or other information without the consent of the advocate(s) or Alexandra House;
5. Alexandra House, its officers, employees (including advocates), representative and agents will not have authority to direct or assign City employees or representatives or to access files, data or other information without the consent of the City;
6. As an independent service provider, Alexandra House agrees to hold harmless and indemnify the City from all claims, suits, actions, costs, counsel fees, expenses, damages, judgments or decrees, by reason of any person or persons or property being injured or damaged as a result of any advocacy services performed within or on any cases arising from the City of Coon Rapids.
7. Either the Alexandra House or the City may terminate this agreement upon thirty (30) days prior written notice to the other party without cause.

(Signatures continued on the following page)

IN WITNESS WHEREOF, the parties hereto have signed this agreement as of the date and year first above written.

ALEXNDRA HOUSE

By: 
Connie Moore, Executive Director

CITY OF COON RAPIDS

By: _____
Jerry Koch, Mayor

By: _____
Steve Gatlin, City Manager



City Council Regular

8.

Meeting Date: 02/03/2015

Subject: Accept Resignation of Gary Wessling From the Board of Adjustment and Appeal and Declare a Vacancy on the Board of Adjustment and Appeals

Submitted For: Cheryl Bennett, Housing and Zoning Coordinator

From: Nathalie O'Shaughnessy, Admin 1

INTRODUCTION

Council is being asked to accept the resignation of Gary Wessling from the Board of Adjustment and Appeals and declare a vacancy on the Board of Adjustment and Appeals with this resignation.

DISCUSSION

Gary Wessling has submitted a letter indicating his intent to resign from the Board of Adjustment and Appeals effective January 22, 2015. His resignation letter is attached. Staff wishes to thank Mr. Wessling for his service to the City.

RECOMMENDATION

Accept resignation of Gary Wessling from the Board of Adjustment and Appeals, declare a vacancy on the Board of Adjustment and Appeals, and thank Mr. Wessling for his service to the City.

Attachments

Resignation Letter

January 22, 2015

To: Cheryl Bennett

Housing and Zoning Coordinator
11155 Robinson Drive
Coon Rapids, MN 55433-3716

From: Gary B. Wessling
858 90th Ave. N.W.
Coon Rapids, MN 55433

Re: resign board appointment

Dear Cheryl

Effective, January 22, 2015, I am resigning my appointment to "THE BOARD OF ADJUSTMENT AND APPEALS" of "THE COON RAPIDS, MINNESOTA CITY COUNCIL".

Sincerely,



Gary B. Wessling

cc: Mayor Jerry Koch





City Council Regular

9.

Meeting Date: 02/03/2015

Subject: Accept a Grant from MN Dept of Public Safety to Fund a Full-time DWI Officer

From: Brad Wise, Police Chief

INTRODUCTION

The Minnesota Department of Public Safety (DPS) Office of Traffic Safety (OTS) has informed the City of Coon Rapids that it is eligible for a grant to fund a DWI officer for four years. Staff recommends accepting the grant.

DISCUSSION

The Minnesota Department of Public Safety (DPS), Office of Traffic Safety (OTS) is seeking proposals from law enforcement agencies to fund a full-time DWI officer. The DWI officer will work peak nights and times when drinking and driving occurs. Data from 2011-2013 was reviewed to determine where there would be the highest impact. The eight counties with the most impaired-related deaths or serious injuries were chosen as being eligible for grant funds. The eight counties are Anoka, Dakota, Hennepin, Olmsted, Otter Tail, Ramsey, St. Louis and Stearns. In addition, applicant agencies must have a sworn complement of at least 25 officers. The grant is funded by the National Highway Traffic Safety Administration (NHTSA).

The total length for the DWI Officer grant is expected to be for four years, however, grants will be written for one federal fiscal year at a time (the 2015 federal fiscal year ends September 30, 2015). Coon Rapids Police department has developed a work plan and budget which are subject to approval by the MN Office of Traffic Safety. The award will cover a full-time sworn officer, fringe benefits, court costs and a squad car with necessary equipment to enforce traffic laws. Squad car operating costs, uniforms and weapons are not covered by the grant.

The grant is federally funded by NHTSA with impaired driving funds. Federal guidelines require this money be spent on projects to reduce DWI incidents. Because of this, both the officer and the majority of equipment can only be funded for the enforcement of laws prohibiting driving while impaired. If the officer is called to or responds to an incident other than an alcohol-related driving offense, the time spent on non DWI related enforcement exceeding 15 successive minutes must be paid for by the agency. Progress reports will be required to be made to the MN Office of Traffic Safety.

Accepting this grant will require the authorized strength of the police department to be raised from 64 to 65 sworn officers. Once the grant funds discontinue, the authorized strength of the department will return to 64 officers through retirement or attrition.

RECOMMENDATION

Staff recommends authorizing Resolution 15-33 authorizing an Agreement with the MN DPS Office of Traffic Safety Accepting a Grant to Fund a Full-time Officer plus Squad Car.

BUDGET IMPACT:

The full-time position is fully funded to include benefits. The squad car is fully funded to include equipment necessary for traffic enforcement. The City will be obligated to pay for fuel, vehicle maintenance, uniforms and weapons.

Attachments

DWI Officer and Squad Grant Resolution

RESOLUTION NO. 15-33

**A RESOLUTION TO ACCEPT A GRANT FROM THE MINNESOTA DEPARTMENT
OF PUBLIC SAFETY, OFFICE OF TRAFFIC SAFETY
TO BE USED TOWARD FUNDING A FULL-TIME DWI OFFICER AND SQUAD CAR**

WHEREAS, the Minnesota Department of Public Safety, Office of Traffic Safety awarded, in 2015, a four-year grant to fund a DWI officer and squad car; and

WHEREAS, the total grant amount will be up to \$250,000.00 per year; and

WHEREAS, Minn. Stat. § 465.03 allows cities to accept donations of real or personal property by resolution adopted by a two-thirds majority of Council; and

WHEREAS, the City Council finds that it is in the best interest of its citizens to enter into a grant agreement with the Minnesota Department of Public Safety, for traffic safety enforcement projects for four Federal fiscal years beginning in 2015 and accept the City's portion of the offered grant money; and

WHEREAS, the Coon Rapids Police Department will be the fiscal agent and administrator of the grant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coon Rapids, Minnesota, that the grant of up to \$250,000.00 is hereby accepted on behalf of the Police Department.

BE IT FURTHER RESOLVED the Coon Rapids Police Department enter into a grant agreement with the Minnesota Department of Public Safety, for traffic safety enforcement projects during the period from January 1, 2015 through September 30, 2016.

BE IT FURTHER RESOLVED that the Coon Rapids Police Department Chief of Police or designee is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Coon Rapids Police Department and to be the fiscal agent and administer the grant.

BE IT FURTHER RESOLVED that the City of Coon Rapids hereby extends its gratitude to the Minnesota Department of Public Safety, Office of Traffic Safety for the full-time DWI officer grant.

Adopted by the Coon Rapids City Council this 3rd day of February, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

10.

Meeting Date: 02/03/2015

Subject: Public Hearing Misc Assessment 2015-1 - Consider Resolutions 15-27 through 15-30 Misc Special Assessments

From: Heidi Cederstrand, Assessment Clerk II

INTRODUCTION

After an assessment hearing, the unopposed 2015 Miscellaneous Special Assessments should be adopted.

DISCUSSION

The amount to be assessed for the 2015(1) Miscellaneous Assessments is **\$184,332** as of January 27, 2015. The amount reflects payments and adjustments that have been made since January 5 when the assessment hearing date was set. An updated amount will be distributed on February 3 and the effected Resolutions will be completed at that time.

As you know, the process of hearing assessment appeals will include a hearing before the Board of Adjustment and Appeals before City Council adoption. The City Council must open a public hearing as required by State Statutes. At the hearing the City Council should collect written appeals and refer appellants to the Board of Adjustment and Appeals for their review and recommendation. After the hearing has been closed, the City Council may adopt the assessments which were not appealed.

The Board of Adjustment and Appeals will meet on March 5 to make a recommendation to the City Council at the March 17 Council meeting.

The re-payment terms, number of years and the interest rate, of the assessments are set by the amount being assessed. Amounts up to \$1,000 will be payable in one (1) year, amounts up to \$5,000 will be three (3) years, amounts up to \$10,000 will be five (5) years and amounts over \$20,000 will be ten (10) years.

RECOMMENDATION

Staff recommends the following action by the Council:

- a. Hold assessment hearing to collect written appeals.
- b. Adopt Resolution 15-27 adopting 2015(1) Miscellaneous Special Assessments (unopposed one year).
- c. Adopt Resolution 15-28 adopting 2015(1) Miscellaneous Special Assessments (unopposed three year).
- d. Adopt Resolution 15-29 adopting 2015(1) Miscellaneous Special Assessments (unopposed five year).
- e. Adopt Resolution 15-30 adopting 2015(1) Miscellaneous Special Assessments (unopposed ten year).

Attachments

RS 15-27

RS 15-28

RS 15-29

RS 15-30

RESOLUTION NO. 15-27

**RESOLUTION ADOPTING 2015(1) MISCELLANEOUS SPECIAL ASSESSMENTS
(ONE YEAR)**

WHEREAS, pursuant to property notice duly given as required by law, the City Council has met and heard and passed upon all objections to the proposed assessment for the nonpayment of invoices; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that

1. Such proposed assessment, a copy of which is attached hereto and made a part thereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.

2. Such assessments shall become payable in annual installments, commencing with the first Monday in January 2016, and shall bear interest at the rate of 1.16% per annum from the date of the adoption of this assessment resolution. To the installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2016. The total amount of the one-year assessment is \$

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the Director of the Anoka County Records and Taxation Division (but no later than November 14, 2015), pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of this resolution. He/she may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid, with interest accrued through the date of payment. However, such payment must be made no later than November 14 or interest will be charged through December 31 of the next succeeding year.

4. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Property Records and Taxation Division to be extended on the proper tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the Coon Rapids City Council this 3rd of February 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

RESOLUTION NO. 15-28

**RESOLUTION ADOPTING 2015(1) MISCELLANEOUS SPECIAL ASSESSMENTS
(THREE YEAR)**

WHEREAS, pursuant to property notice duly given as required by law, the City Council has met and heard and passed upon all objections to the proposed assessment for the nonpayment of invoices; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that

1. Such proposed assessment, a copy of which is attached hereto and made a part thereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.

2. Such assessments shall become payable in annual installments, commencing with the first Monday in January 2016, and shall bear interest at the rate of 1.78% per annum from the date of the adoption of this assessment resolution. To the installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2016. The total amount of the three-year assessment is \$

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the Director of the Anoka County Records and Taxation Division (but no later than November 14, 2015), pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of this resolution. He/she may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid, with interest accrued through the date of payment. However, such payment must be made no later than November 14 or interest will be charged through December 31 of the next succeeding year.

4. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Property Records and Taxation Division to be extended on the proper tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the Coon Rapids City Council this 3rd day of February 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

RESOLUTION NO. 15-29

**RESOLUTION ADOPTING 2015(1) MISCELLANEOUS SPECIAL ASSESSMENTS
(FIVE YEAR)**

WHEREAS, pursuant to property notice duly given as required by law, the City Council has met and heard and passed upon all objections to the proposed assessment for the nonpayment of invoices; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that

1. Such proposed assessment, a copy of which is attached hereto and made a part thereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.

2. Such assessments shall become payable in annual installments, commencing with the first Monday in January 2016, and shall bear interest at the rate of 2.32% per annum from the date of the adoption of this assessment resolution. To the installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2016. The total amount of the five-year assessment is \$

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the Director of the Anoka County Records and Taxation Division (but no later than November 14, 2015), pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of this resolution. He/she may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid, with interest accrued through the date of payment. However, such payment must be made no later than November 14 or interest will be charged through December 31 of the next succeeding year.

4. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Property Records and Taxation Division to be extended on the proper tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the Coon Rapids City Council this 3rd day of February 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

RESOLUTION NO. 15-30

**RESOLUTION ADOPTING 2015(1) MISCELLANEOUS SPECIAL ASSESSMENTS
(TEN YEAR)**

WHEREAS, pursuant to property notice duly given as required by law, the City Council has met and heard and passed upon all objections to the proposed assessment for the nonpayment of invoices; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota that

1. Such proposed assessment, a copy of which is attached hereto and made a part thereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.

2. Such assessments shall become payable in annual installments, commencing with the first Monday in January 2016, and shall bear interest at the rate of 3.04% per annum from the date of the adoption of this assessment resolution. To the installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2016. The total amount of the ten-year assessment is \$

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the Director of the Anoka County Records and Taxation Division (but no later than November 14, 2015), pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of this resolution. He/she may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid, with interest accrued through the date of payment. However, such payment must be made no later than November 14 or interest will be charged through December 31 of the next succeeding year.

4. The Clerk shall forthwith transmit a certified duplicate of this assessment to the County Property Records and Taxation Division to be extended on the proper tax lists of the County, and such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the Coon Rapids City Council this 3rd day of February 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

11.

Meeting Date: 02/03/2015

Subject: Hold Public Hearing on Establishment of Housing Improvement Area for Thousand Oaks IV Townhouses and Cons. Introduction of Ordinance

From: Kim Reid, Administrative Legal Assistant

INTRODUCTION

On October 7, 2014, Council accepted a petition from the residents of the Thousand Oaks IV Townhouse development to establish a housing improvement area over a portion of that development, and ordered a public hearing for February 3, 2015.

DISCUSSION

The request is based on legislation enacted in 1996 which permits the use of public funds to finance necessary improvements to housing within a designated area of a city when no other reasonable means of financing the improvements is available. All funds necessary to finance the project, along with all other City expenses, would be repaid along with the property taxes much like a special assessment.

The law requires that the housing improvement area be designated by ordinance and that a public hearing be held before any such ordinance is adopted. The purpose of this public hearing is to allow residents within the proposed area to voice their opinions as to whether a housing improvement area should be designated. There may be discussions relating to the extent of the proposed improvement, whether all units shall be included in the area, and the proposed method of repayment.

The proposal is to replace the roofs, roof insulation, gutters, vents, decking, heat cable, replace asphalt, concrete aprons and sidewalks, fence, lighting, siding, soffit and fascia of 4 buildings containing a total of 23 units in that portion of Thousand Oaks IV Townhouse Development located along 124th Circle and to spread the repayment of the City's financial insertion in the project equally among the 23 units to be collected along with taxes over a period not to exceed fifteen years. This is consistent with the terms of previously established housing improvement areas in the City.

In order to establish a housing improvement area, Council must find, first, that without the establishment of the area the improvements cannot be made and, second, that the proposed improvements are necessary to preserve the housing units in the proposed area. In addition, the City is required to ensure that any contracts entered into by the homeowners association are subject to the Uniform Municipal Contracting Law.

Recent financial statements of the association indicate that, while there are funds available for routine maintenance of the grounds, such as mowing or snow plowing, there are not adequate finances to pay for proposed capital improvements. Homeowners associations tend to find that obtaining financing for improvements such as this is virtually impossible because the association can provide little, if any, acceptable securities. The association only has title to the open space and its ability to impose fees on its members is risky at best. Having each owner obtain separate financing is cumbersome and could stop a project if just one owner decides not to cooperate or does not have adequate security for a loan.

State law requires that before the project can proceed, the association must provide the City with a financial plan, prepared by a third party, showing how future capital improvements can be financed without public assistance. The association is also required to provide the City with annual financial reports until the public financing has been repaid.

If Council finds that there are grounds to establish the housing improvement area, the attached ordinance should be introduced. If questions arise that cannot be adequately answered at this meeting, the public hearing can be continued with or without introduction of the ordinance. It is only necessary that the hearing be closed before an ordinance is adopted.

If a housing improvement area is established, a second public hearing will be held in the future to discuss the cost of the project and the amounts to be assessed against each unit. A resolution assessing those costs would have to be adopted before the project can begin.

An ordinance establishing a housing improvement area takes effect 45 days after its adoption rather than 15 days after publication as with other ordinances. During that 45 day time period owners of at least 45% of the units, in this case 11, can veto the ordinance by filing a petition objecting to it.

RECOMMENDATION

- a. Hold public hearing on the establishment of a housing improvement area for that portion of Thousand Oaks IV Townhouses located along 124th Circle.
- b. Introduce ordinance establishing housing improvement area for that portion of Thousand Oaks IV Townhouses located along 124th Circle.

Attachments

Thousand Oaks Ordinance

ORDINANCE NO.

**AN ORDINANCE ESTABLISHING A HOUSING IMPROVEMENT AREA
FOR THE THOUSAND OAKS IV TOWNHOUSES
PURSUANT TO THE MINNESOTA STATUTES CHAPTER 428A**

PREAMBLE:

- A. The City is authorized under Minnesota Statutes Sections 428A.11 through 428A.21 to establish by ordinance housing improvement areas within which housing improvements are made or constructed and the costs of those improvements are financed in whole or in part by the City which is repaid by fees imposed upon the owners of housing units within the area.
- B. In accordance with Minnesota Statutes Section 428A.11, owners of 50% or more of the housing units located within the Thousand Oaks IV Townhouses filed a petition with the City requesting a public hearing regarding the establishment of a housing improvement area.
- C. On February 3, 2015, the City Council conducted a public hearing on the petition, which hearing was duly noticed in accordance with Minnesota Statute ' 428A.13, subd. 2, at which all persons, including owners of property within the housing improvement area were given an opportunity to be heard.
- D. The City Council therefore has determined a need to establish the Thousand Oaks IV Housing Improvement Area as defined herein in order to facilitate certain improvements to the property all in accordance with the Housing Improvement Act.

Now, therefore, the City of Coon Rapids does ordain:

Section 1. Pursuant to Minnesota Statutes Chapter 428A there is hereby established in the City of Coon Rapids a housing improvement area over property commonly known as Thousand Oaks IV Townhouses.

Section 2. Findings. The City hereby makes the following findings in support of its action to establish the housing improvement area described herein:

- a. The Council finds that without establishment of the housing improvement area the housing improvements could not be made by the townhouse association for, or the housing unit owners in, the Thousand Oaks IV Townhouse development.
- b. Council further finds that designation of said housing improvement area is

needed to maintain and preserve the housing units within that area.

Section 3. Housing Improvement Area defined. The Thousand Oaks IV Housing Improvement Area is hereby defined as that area of the City legally described as follows:

Lots 1 through 6, Block 5, Lots 1 through 6, Block 6, Lots 1 through 6, Block 7, Lots 1 through 5, Block 8, all in CIC No. 40 Thousand Oaks Third Addition, Anoka County, Minnesota.

Section 4. Housing Improvements defined.

a. For the purposes of this ordinance, the term “housing improvements” shall mean the replacement of roofs, roof insulation, gutters, vents, decking, heat cable, replace asphalt, concrete aprons and sidewalks, fence, lighting, siding, soffit and fascia and necessary and incidental related improvements and repairs to the housing units and garages within the Thousand Oaks IV Housing Improvement Area.

b. The above mentioned construction shall also include all incidental work in repairs to finish the improvements to industry standards and comply with all building codes regardless of whether said incidental work is described in this ordinance.

c. Housing Improvements shall also be deemed to include any of the following costs incurred by either the Thousand Oaks IV Housing Improvement Area or the City:

i. All costs of architectural and engineering services in connection with the improvements.

ii. All administration, legal, assessing fee and consultant costs in connection with the Thousand Oaks IV Housing Improvement Area.

iii. Costs of issuance of bonds, if any, to finance housing improvements under the Housing Improvement Act.

Section 5. Housing Improvement Fee. The City may, by resolution adopted in accordance with the petition, hearing, and notice procedures required under Minnesota Statute Chapter 428A, known as the Housing Improvement Act, impose a fee on the housing units within the Thousand Oaks IV Housing Improvement Area at a rate, term, and amount sufficient to produce revenues required to provide the Housing Improvements subject to the terms and conditions set forth in this section.

a. Any Housing Improvement Fee shall be imposed on the basis of the total cost of the Housing Improvements to be financed by the Housing Improvement Fee, divided by the number of housing units in the Housing Improvement Area.

b. Any Housing Improvement Fee shall be imposed and payable no greater than fifteen years after the first installment is due and payable.

c. The resolution imposing any Housing Improvement Fee shall provide that any fee, or portion thereof, not prepaid by the housing unit owner shall be deemed to include simple interest upon unpaid housing improvement costs at an annual rate equal to the rate imposed for special assessments in the City at the time the resolution is adopted plus an additional one percent.

d. Any Housing Improvement Fee shall be collected at the same time and in the same manner as provided for payment and collection of *ad valorem* taxes, in accordance with Minn. Stat. ' 428A.05. As set forth in Minn. Stat. ' 428A.14, the Housing Improvement Fee is not included in the calculation of levies or limits on levies imposed under any law or charter.

e. Any Housing Improvement Fee shall not exceed the amount specified in the notice of public hearing regarding the approval of such fee; provided, however, that the Housing Improvement Fee may be reduced after approval of the resolution setting the Housing Improvement Fee, in the manner specified in such resolution.

Section 6. Issuance of Bonds. At any time after a contract for construction of all or part of the housing improvements has been entered into or the work has been ordered, and the period for prepayment of the Housing Improvement Fee has expired, the Council may issue bonds in the principal amount necessary to finance the housing improvements that have not been prepaid along with costs of issuance of the bonds. Such bonds shall be issued pursuant to and in accordance with Minn. Stat. ' 428A.16 of the Housing Improvement Act.

Section 7. Annual Reports.

a. On March 15, and each March 15th thereafter until all Housing Improvement Fees derived in the Thousand Oaks IV Housing Improvement Area are fully paid, the Thousand Oaks IV Townhouse Association and any successor in interest, shall submit to the City Clerk a copy of the Association's audited financial statements.

b. Any successor in interest, shall also submit to the City any other reports or information at the time and as required by any contract entered into between that entity and the City.

Section 8. Notice of Right to File Objections. Within five days after the adoption of this ordinance, the City Clerk is authorized and directed to mail to the owner of each housing unit in the Thousand Oaks IV Housing Improvement Area a copy of this Ordinance and notice that owners subject to the proposed Housing Improvement Fee have a right to veto this ordinance if owners of at least 45% of the housing units within the Thousand Oaks IV Housing Improvement

Area file an objection with the City Clerk before the effective date of the ordinance.

Section 9. Amendment. This ordinance may be amended by the City Council upon compliance with the public hearing and notice requirements set forth in Minn. Stat. ' 428A.13, subd. 2 of the Housing Improvement Act.

Section 10. Effective Date. This ordinance shall be effective 45 days after its adoption.
Introduced this 3rd day of February 2015.

Adopted this ____ day of _____ 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

12.

Meeting Date: 02/03/2015

Subject: Consider Adoption of Ordinance 2128, An Ordinance Revising Accreditation Requirements for Therapeutic Massage

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Council is asked to adopt Ordinance 2128, an Ordinance Revising the Accreditation Requirements for Therapeutic Massage Therapists.

DISCUSSION

This Ordinance was introduced at the January 20, 2015 meeting. At that time, there was a question raised as to whether the proposed tightening of accreditation and educational standards would impact currently licensed massage therapists.

It is staff's intent that these new requirements would apply to new licenses not those renewing existing licenses.

RECOMMENDATION

Adopt Ordinance 2128, An Ordinance Revising the Accreditation Requirements for Therapeutic Massage Therapists.

Attachments

Ordinance 2128

ORDINANCE NO. 2128

AN ORDINANCE REVISING THE ACCREDITATION REQUIREMENTS FOR THERAPEUTIC MASSAGE THERAPISTS AND THEREBY AMENDING REVISED CITY CODE – 1982 SECTIONS 5-2903, 5-2904, 5-2906, 5-2908, AND 5-2910

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section 5-2904 is amended as follows: (deletions in brackets, additions double underlined)

5-2903 Definitions. As used in this Chapter, the following terms will have the meanings ascribed to them:

...

(9) “Accredited Institution: means an educational institution holding accredited status with the United States Department of Education.

(10) “Accredited Program” means a professional massage program accredited by the Commission on Massage Therapy Accreditation (COMTA).

Section 2. Revised City Code – 1982 Section 5-2904 is hereby amended as follows:
(deletions in brackets, additions double underlined)

5-2904 Licenses Required.

(1) Therapeutic Massage Enterprise. No person may operate, offer, engage in, or carry on massage services in the City without first obtaining a therapeutic massage enterprise license.

(2) Therapeutic Massage Therapist. No person may provide, offer, engage in, or carry on massage services in the City, and no therapeutic massage enterprise may employ a person to provide massage services, unless the person is [a] licensed as a therapeutic massage therapist by the City.

Section 3. Revised City Code – 1982 Section 5-2905 is hereby amended as follows:
(additions double underlined)

5-2905 Exceptions. A therapeutic massage enterprise or massage therapist license is not required for the following:

...

(6) The owner or operator of a licensed therapeutic massage enterprise need not be licensed as a therapeutic massage therapist unless the owner or operator personally provides massage services.

Section 4. Revised City Code – 1982 Section 5-2906 is hereby amended as follows:

(deletions in brackets, additions double underlined)

5-2906 License Applications. Applications for licenses under this Section must be made to the City Clerk on forms provided by the City and must, at a minimum, include the following information:

...

(2) Therapeutic Massage Therapist:

(a) Applicant's name, current residential address, date of birth, and residential telephone number.

(b) Applicant's residential addresses for the previous five years if different than provided under (a) above.

(c) Name and address of applicant's current employer to include evidence the applicant is affiliated with, employed by, or owns a City licensed therapeutic massage enterprise.

(d) Names and current addresses of applicant's employers for the previous five years and the dates of such employments.

(e) Names and addresses of training institutions attended and dates of such attendance to include evidence the applicant has completed 400 hours of certified therapeutic massage training from an accredited institution or an accredited program approved by the City. These training hours must be authenticated by a single provider through a certified copy of the transcript of academic record from the school issuing the training, degree, or diploma.

(f) Whether applicant is licensed in other communities to provide similar services and, if so, where.

(g) Whether applicant has previously been denied a similar license, or had a license revoked, and, if so, provide information regarding where, when, and the circumstances.

(h) Whether applicant has ever been convicted of a criminal offense, or the violation of a local ordinance, other than a minor traffic offense, and, if so, provide information regarding the place, date, and nature of the offense.

(i) Whether the applicant has ever used or been known by a name other than the one provided under (a) above and, if so, the name or names used and information relative to the dates and places where used.

(j) ~~[Evidence of the following:~~

~~(i) Applicant is affiliated with, employed by, or owns a City licensed therapeutic massage enterprise.~~

~~—(ii) Applicant has completed 400 hours of certified therapeutic massage training from recognized school approved by the City, or has at least one year of experience in therapeutic massage in association with a therapeutic massage enterprise and will complete 400 hours of certified training within two years after being issued a massage therapist license under this Chapter, or has at least five years experience as a therapeutic massage therapist in association with a therapeutic massage enterprise. Evidence of prior experience will be in a form acceptable to the City.~~

~~(k)] Provide a valid state issued driver's license or identification card.~~

[~~(4)~~] (k) Names and addresses of two persons of good moral character and not related to the applicant who reside in the metropolitan area and who can provide the City with information regarding the applicant.

[~~(m)~~] (l) Such other information as may be required by the City.

Section 5. Revised City Code – 1982 Section 5-2908 is hereby amended as follows:

(additions double underlined)

5-2908 Issuance of Licenses.

...

(2) Therapeutic Massage Therapist. Within 14 days after receipt of a complete application and payment of all required fees, the City Clerk must grant or deny the application for a therapeutic massage therapist license. Failure of the Clerk to act upon the application within the time provided will constitute approval of the license. Notice of denial, along with the reasons therefor, will be sent to the applicant. Such notice must be delivered to the applicant or placed in the U.S. mail within the 14 day time limit. The decision of the Clerk may be appealed to the City Council in accordance with Section 5-104.

Section 6. Revised City Code – 1982 Section 5-2910 is hereby amended as follows:

(additions double underlined)

5-2910 Persons Ineligible for License.

...

(2) Therapeutic Massage Therapist. A therapeutic massage therapist license may not be issued to a person who: provides incomplete or inaccurate information on the license application; is unable to provide documentation of completion of message therapy training through an accredited program or from an accredited institution, or could not qualify for a therapeutic massage enterprise license under subsection (1) above, except for paragraph (d), or who is not affiliated with or employed by a therapeutic massage enterprise, or who does not hold a therapeutic massage enterprise license.

Introduced this 20th day of January, 2015.

Adopted this 3rd day of February, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

13.

Meeting Date: 02/03/2015

Subject: Consider Approval of Resolution Approving Registered Land Survey, Deleo and RMS Company, 8600 Evergreen Blvd

From: Scott Harlicker, Planner

INTRODUCTION

The applicant is requesting approval of a registered land survey to subdivide three lots into two lots. The registered land survey will also move a common lot line.

DISCUSSION

Background

The applicants are proposing to combine two parcels in to one lot and a lot line adjustment of a common lot line with a third lot. Tract B, which is owned by RMS manufacturing, is currently two lots and will be combined into one lot. Tract A, which is owned by Ryerson Company, is currently one parcel and will remain one lot. The RLS includes moving the common lot line between Tract A and Tract B. Tract B will increase from its present size by about 3.5 acres.

The proposed RLS will not result in any non-conformities with respect to setbacks or dimensional requirements. No new lots are being created.

Planning Commission meeting

At the Planning Commission meeting held on January 15th, no one spoke at the public hearing. The Commission voted unanimously to recommend approval of the registered land survey.

RECOMMENDATION

In Planning Case 15-1, the Planning Commission recommended the City Council approve the attached resolution approving the registered land survey with the following conditions:

1. All comments of the Assistant City Engineer be addressed.
2. All comments of Anoka County Highway Department addressed.

Attachments

Location Map

Preliminary Survey

Registered Land Survey

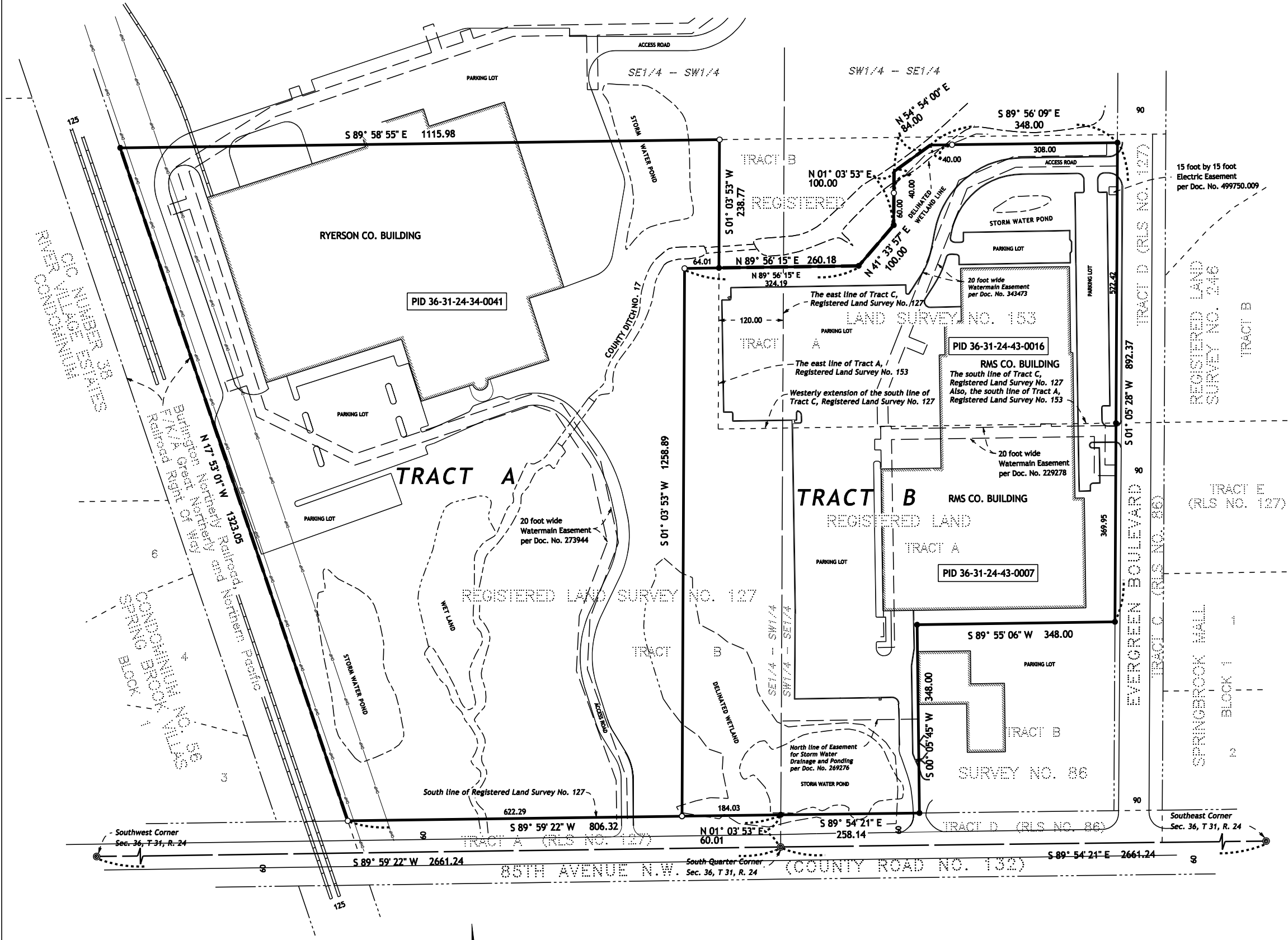
Resolution approving RLS

Location Map



PRELIMINARY REGISTERED LAND SURVEY NO.

CITY OF COON RAPIDS
COUNTY OF ANOKA
SEC. 36, TWP. 30, RNG. 24



LEGAL DESCRIPTION

Tract A, REGISTERED LAND SURVEY NO. 86, Anoka County, Minnesota,
And
Tract B, REGISTERED LAND SURVEY NO. 127, Anoka County, Minnesota, EXCEPT the East 120 feet of said Tract B, which lies North of the Westerly extension of the South line of Said Tract C of said REGISTERED LAND SURVEY NO. 127
And
Tract A, REGISTERED LAND SURVEY NO. 153, Anoka County, Minnesota.

PROJECT DATA

PID 36-31-24-43-0007 & 36-31-24-42-0016 are linked parcels currently owned by RMS Company, Inc. The address of said property is 8600 Evergreen Blvd., Coon Rapids, MN
PID 36-31-24-34-0041 is currently owned by Rio Algon, Inc. The address of said property is 455 85th ave. NW, Coon Rapids, MN
This proposed Registered Land Survey consists of three separate tax parcels. The primary goal with this proposed Registered Land Survey is to combine the two tax parcels currently owned by the RMS Company and to facilitate the relocation of the common property boundary between the parcels currently owned by the RMS Co. and the Ryerson Co. This new common line is represented by the boundary line that separates Tract A and Tract B as shown. Tract B will increase from its present size by about 3.5 acres.
The topographic features shown hereon are representative of a combination of field survey work and digital mapping. They are intended to provide a general view of the existing major improvements. The wetlands shown on Tract B represent wetland boundaries that were determined and surveyed this fall. The wet lands shown on Tract A represent a general interpretation of wet lands as based on soils maps, contour maps, and aerial photography. They do not represent delineated wetland boundaries.
Proposed Areas:
Tract A = 24.54 Acres
Tract B = 18.05 Acres

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Signature: Samuel J. DeLeo, MN License No. 40341
Date: 12/10/2014

- DENOTES: 1/2 INCH BY 14 INCH IRON MONUMENT SET AND MARKED WITH MINNESOTA LICENSE NO. 40341
- DENOTES: FOUND IRON MONUMENT
- ⊙ DENOTES: FOUND ANOKA COUNTY SECTION CORNER MONUMENT

For the purposes of the Registered Land Survey the south line of Registered Land Survey No. 127 is assumed to bear S 89° 59' 22" W



REGISTERED LAND SURVEY NO. _____

CITY OF COON RAPIDS
COUNTY OF ANOKA
SEC. 36, TWP. 30, RNG. 24

I Samuel J. DeLeo, hereby certify that, in accordance with the provisions of Minnesota Statutes, Section 508.47, I have surveyed the following described property situated in the County of Anoka, State of Minnesota:
Tract A, REGISTERED LAND SURVEY NO. 86, Anoka County, Minnesota,
And
Tract B, REGISTERED LAND SURVEY NO. 127, Anoka County, Minnesota, EXCEPT the East 120 feet of said Tract B, which lies North of the Westerly extension of the South line of Said Tract C of said REGISTERED LAND SURVEY NO. 127
And
Tract A, REGISTERED LAND SURVEY NO. 153, Anoka County, Minnesota.

I hereby certify that this plan, survey, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota and that this Registered Land Survey is a correct representation of said parcel of land. Dated this _____ of _____, 20____.

Samuel J. DeLeo, Licensed Land Surveyor
Minnesota License No. 40341

COON RAPIDS PLANNING COMMISSION
Be it known that at a meeting held on this the _____ of _____, 20____, the Planning Commission of the City of Coon Rapids, Minnesota, did hereby review and approve this Registered Land Survey.

Planning Commission, City of Coon Rapids, Minnesota

By: _____, Chairperson

CITY COUNCIL, COON RAPIDS, MINNESOTA
We do hereby certify that on the _____ of _____, 20____, the City Council of the City of Coon Rapids, Minnesota, approved this Registered Land Survey.

Planning Commission, City of Coon Rapids, Minnesota

By: _____, Mayor

By: _____, Clerk

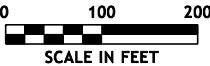
ANOKA COUNTY SURVEYOR
Pursuant to Minnesota Statutes, Section 389.09, Subd. 1, this Registered Land Survey is approved this _____ of _____, 20____.

Larry D. Holm
Anoka County Surveyor

- DENOTES: 1/2 INCH BY 14 INCH IRON MONUMENT
SET AND MARKED WITH MINNESOTA LICENSE NO. 40341
- DENOTES: FOUND IRON MONUMENT
- ⊙ DENOTES: FOUND ANOKA COUNTY
SECTION CORNER MONUMENT



For the purposes of the Registered Land Survey
the south line of Registered Land Survey No. 127
is assumed to bear S 89° 59' 22" W



Resolution 15-_____

**A Resolution of the City of Coon Rapids Granting Approval of a Registered
Land Survey, Planning Case No. PC 15-1**

WHEREAS, application has been made for approval of a registered land survey, pursuant to Section 11-1504.5 of the Coon Rapids Code of Ordinances, of the property legally described on attached Exhibit A and hereinafter referred to as “the Property”; and

WHEREAS, the Planning Commission on January 15, 2015 recommended approval of the registered land survey of the Property;

NOW, THEREFORE, BE IT RESOLVED

1. It is hereby determined by the City Council for the City of Coon Rapids as follows:
 - A. The proposed subdivision is consistent with the Title 11, Chapter 1500 of the City Code of Ordinances and conforms with all of its requirements.
 - B. The proposed subdivision is consistent with all applicable general and specialized city, county, and regional plans including, but not limited to, the City’s Comprehensive Plan.
 - C. The physical characteristics of the site, including, but not limited to, topography, soils, vegetation, susceptibility to erosion and siltation, susceptibility to flooding, and drainage are suitable for the type and density of development and uses contemplated.
 - D. The proposed subdivision makes adequate provision for water supply, storm drainage, sewage transportation, parks and walkways, erosion control and all other services, facilities and improvements otherwise required herein.
 - E. The proposed subdivision will not cause substantial environmental damage.
 - F. The proposed subdivision will not have an undue or adverse impact on the reasonable development of neighboring land.
2. Registered land survey approval is hereby granted for the Property, subject to the conditions set forth in attached Exhibit B.
3. The officers of the City are hereby authorized, once the conditions set forth in Exhibit B are met and complied with, to sign the registered land survey for the Property and to issue

a certified copy of this Resolution giving final approval of the survey.

4. The owner of the Property is authorized to record the registered land survey as required by law and shall file proof of said recording with the City. No building permits will be issued for the Property until the registered land survey is recorded.
5. This registered land survey approval may be rescinded 90 days from the date of this resolution if the survey is not recorded within that time.

Adopted this 3rd day of February 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk

STATE OF MINNESOTA)
COUNTY OF ANOKA)ss.
CITY OF COON RAPIDS)

CERTIFICATION OF CLERK

I, the undersigned, being the duly qualified and acting City Clerk of the City of Coon Rapids, Minnesota, hereby certify that I have carefully compared the attached and foregoing Resolution with the original thereof on file in my office and the same is a full, true and complete transcript therefrom, insofar as the same relates to Planning Case 15-1.

WITNESS hand officially as such City Clerk and the corporate seal of the City of Coon Rapids this ____ day of _____, 201_.

Joan Lenzmeier, City Clerk

EXHIBIT A
LEGAL DESCRIPTION

Tract A, REGISTERED LAND SURVEY NO. 86, Anoka County, Minnesota,
And

Tract B, REGISTERED LAND SURVEY NO. 127, Anoka County, Minnesota, EXCEPT the
East 120 feet of said Tract B, which lies North of the Westerly extension of the South line of
Said Tract C of said REGISTERED LAND SURVEY NO. 127

And

Tract A, REGISTERED LAND SURVEY NO. 153, Anoka County, Minnesota.

EXHIBIT B
CONDITIONS OF APPROVAL

1. All comments of the City Engineer be addressed.
2. All comments of Anoka County Highway Department be addressed.



City Council Regular

14.

Meeting Date: 02/03/2015

Subject: Consider Introduction of Ordinance Adding Procedure for Approval of Ordinance Amendments

From: Scott Harlicker, Planner

INTRODUCTION

The City is requesting the introduction of an ordinance amendment to Sections 11- 304 and 11-305 to include approval procedures for ordinance amendments.

DISCUSSION

The following proposed "housekeeping" changes are needed so that the the current code includes approval procedures for ordinance amendments. In the previous code, procedures for considering code changes was included with zone changes and land use amendments. In the revised code each application was treated separately and the code change was inadvertently left out. The review process has not changed with the exception of changes to the sign regulations (Section 11-1202).

In the past, changes to the sign regulations were considered by the Board of Adjustment and Appeals. The Planning Commission did not make a recommendation. Staff is proposing to treat changes to the sign regulations the same as other changes to Title 11, Planning Commission review and recommendation to the City Council.

Planning Commission Meeting

At the planning Commission meeting held on January 15th, no one spoke at the public hearing. The Commission unanimously recommended approval of the proposed ordinance.

RECOMMENDATION

In Planning Case 15-2 the Planning Commission recommends the City Council **introduce** the proposed ordinance **approving** the proposed ordinance amendment for the following:

1. Add Section 11-304.12 adding process for approving an ordinance amendment.
2. Add the requirement in Table 11-305.3(1) for to include action for an ordinance amendment

Attachments

Draft Ordinance

ORDINANCE NO.

AN ORDINANCE ADDING PROCEDURAL REQUIREMENTS FOR ORDINANCE AMENDMENTS

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section 11-304 is hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-304.12 Ordinance Amendment

(1) When used; Process. An application is required to propose a change in the zoning code. The Planning Commission, following a public hearing, must make a recommendation to the City Council, which makes a determination on the application.

(2) Standards for Approval. The determination whether to approve an ordinance amendment must consider:

(a) The health, safety, order, convenience and general welfare;

(b) Effect on present and potential land uses; and

(c) Whether or not the proposal is in conformance with the City's Comprehensive Land Use Plan and any applicable development district.

Section 2 Revised City Code- 1982 Section 11-305.3(1) is hereby amended as follows:

(Deletions in brackets, additions double underlined)

11-305.3 Action on Application.

(1) The following table illustrates what actions are required for application determination:

Type of Application	Public Hearing	Planning Commission Action	BAA Action	Appeal to	City Council Action
Conditional Use Permit	Yes	Approve, approve subject to conditions or deny	N/A	City Council	Affirm, amend, or reject the decision on appeal
Site Plan	Yes	Approve, approve subject to	N/A	City Council	Affirm, amend, or reject the decision

		conditions or deny			on appeal
Variance	Yes ³	N/A	Approve, approve with conditions, or deny ¹	City Council	Affirm, amend, or reject the decision on appeal ²
Master Plan in PORT, overlay, or special district	Yes	Recommendation to approve, deny, or modify	N/A	N/A	Approve or deny
Subdivision	Yes	Recommendation to approve, deny, or modify	N/A	N/A	Approve or deny
Commercial Antenna in a residential area	Yes	Recommendation to approve, deny, or modify	N/A	N/A	Approve or deny
Rezoning and Comprehensive Plan Amendment	Yes	Recommendation to approve, deny	N/A	N/A	Approve or deny
<u>Ordinance Amendment</u>	<u>Yes</u>	<u>Recommendation to approve, deny, or modify</u>	<u>N/A</u>	<u>N/A</u>	<u>Approve or deny</u>
Home Occupation Permit	Yes	Approve, approve subject to conditions or deny	N/A	City Council	Affirm, amend, or reject the decision on appeal

¹ A majority of two-thirds (2/3) of those members voting on the motion is required to grant a variance. The Board of Adjustment and Appeals is not authorized to approve as a variance a use that is not permitted in the zoning district.

² A majority of two-thirds of all members of the City Council is required to amend or reject the Board's decision. [Revised 10/15/13 Ordinance 2109]

³ See Section 11-304.9(3) Notice of Public Hearing [Revised 10/15/13 Ordinance 2109]

Introduced this 3rd day of February, 2015.

Adopted this ____ day of _____ 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

15.

Meeting Date: 02/03/2015

Subject: Consider Approval of Specifications for Purchase of Self Contained Breathing Apparatus for the Fire Department and Authorize Advertisement for Bids

Submitted For: Sharon Legg, Finance Director

From:

Traci Reimringer, Purchasing Clerk

INTRODUCTION

Staff requests approval of specifications for the purchase of Self Contained Breathing Apparatus (SCBAs) for the Coon Rapids Fire Department.

DISCUSSION

Specifications were prepared for the purchase of SCBAs to replace current ones purchased in 2005. The specifications are available for review in the Fire Department. Bids will be due on February 20, 2015. The 2015 Budget includes \$313,340 for the purchase of these SCBAs.

RECOMMENDATION

Approve specifications for the purchase of the SCBAs and authorize the advertisement for bids.



City Council Regular

16.

Meeting Date: 02/03/2015

Subject: Approve Specifications for Water Treatment Chemicals and Order Advertisement for Bids

Submitted For: Sharon Legg, Finance Director

From: Traci Reimringer, Purchasing Clerk

INTRODUCTION

Staff is requesting approval of specifications and the advertisement for bids for the purchase of water treatment chemicals.

DISCUSSION

The contract for water treatment chemicals expired on December 31, 2014. Specifications have been prepared for a new contract and are available for review in the Purchasing Division. Bids will be due February 20, 2015 for approval on March 3. The 2015 Budget includes \$145,000 for this purchase.

RECOMMENDATION

Approve specifications for the purchase of water treatment chemicals and authorize the advertisement for bids.



City Council Regular

17.

Meeting Date: 02/03/2015

Subject: Consider Resolution 15-31 Authorizing Sale of Tax-Forfeited Property

From: Matt Brown, Interim Community
Development Director

INTRODUCTION

The City Council is asked to consider Resolution 15-31 authorizing the sale of tax-forfeited properties.

DISCUSSION

The following properties have been approved for sale by Anoka County subject to review by the City.

PIN/LEGAL DESCRIPTION	ADDRESS
35-31-24-11-0016 THAT PRT OF LOT 9 BLOCK 1 AQUA VISTA DESC AS FOL: COM AT SW COR OF SD LOT TH N 24 DEG 46 MIN 32 SEC W ALG W LINE THEREOF 37.2 FT TO POB, TH N 76 DEG 55 MIN 23 SEC E 202.21 FT, TH N ALG E LINE 184FT, TH SWLY 270 FT + OR - TO WLY LINE OF SD LOT 9, TH SLY ALG SD WLY LINE TO POB	9095 East River Rd.
35-31-24-43-0034 LOTS 1 & 2 BLK 5 PLEASURE CREEK COLEMAN ACRES PLAT 1; EX N 165 FT THEREOF; SUBJ TO EASE OF REC	NA
24-31-24-13-0088 LOT 1 BLOCK 4 PLYMOUTH PARK , EX RD SUBJ TO EASE OF REC	NA
25-31-24-13-0055 OUTLOT A SUNNYSIDE PARK, EX PRT PLATTED AS BEHUN 2ND ADD, SUBJ TO EASE OF REC	NA
25-31-24-41-0008 THE S 353 FT OF LOT 3 BLOCK 5 TWIN CITY TERRACE - ALL HWY	NA
09-31-24-24-0018 LOT 4 BLOCK 2 LUNDGREN OAKS WHICH LIES IN THE NE1/4 OF SW1/4 OF SEC 9 TWP 31 RGE 24 , EX RD SUBJ TO EASE OF REC	NA
04-31-24-24-0058 LOT 4 BLOCK 1 STONELIGHT ESTATES	13009 Crooked Lake Blvd.
04-31-24-24-0059 LOT 5 BLOCK 1 STONELIGHT ESTATES	13003 Crooked Lake Blvd.

Staff recommends the following:

1. [35-31-24-11-0016](#). Sell the property to the highest bidder.
2. [35-31-24-43-0034](#). Sell the property to the abutting landowner.
3. [24-31-24-13-0088](#). Sell the property to the abutting landowner.
4. [25-31-24-13-0055](#). Sell the property to the abutting landowner.
5. [25-31-24-41-0008](#). Sell the property to the abutting landowner.
6. [09-31-24-24-0018](#). Sell the property to the abutting landowner.
7. [04-31-24-24-0058](#). Sell the property to the highest bidder.
8. [04-31-24-24-0059](#). Sell the property to the highest bidder.
9. [04-31-24-24-0060](#). Sell the property to the highest bidder.

RECOMMENDATION

Staff recommends the Council adopt Resolution 15-31 authorizing the sale of tax-forfeited properties in the following manner:

1. [35-31-24-11-0016](#). Sell the property to the highest bidder.
2. [35-31-24-43-0034](#). Sell the property to the abutting landowner.
3. [24-31-24-13-0088](#). Sell the property to the abutting landowner.
4. [25-31-24-13-0055](#). Sell the property to the abutting landowner.
5. [25-31-24-41-0008](#). Sell the property to the abutting landowner.
6. [09-31-24-24-0018](#). Sell the property to the abutting landowner.
7. [04-31-24-24-0058](#). Sell the property to the highest bidder.
8. [04-31-24-24-0059](#). Sell the property to the highest bidder.
9. [04-31-24-24-0060](#). Sell the property to the highest bidder.

Attachments

Resolution 15-31

Location Maps

RESOLUTION NO. 15-31

RESOLUTION AUTHORIZING THE SALE OF A TAX FORFEIT PROPERTIES

WHEREAS, the following described parcels of land (the “Properties”) are located in the City of Coon Rapids:

PIN/LEGAL DESCRIPTION	ADDRESS
35-31-24-11-0016 THAT PRT OF LOT 9 BLOCK 1 AQUA VISTA DESC AS FOL: COM AT SW COR OF SD LOT TH N 24 DEG 46 MIN 32 SEC W ALG W LINE THEREOF 37.2 FT TO POB, TH N 76 DEG 55 MIN 23 SEC E 202.21 FT, TH N ALG E LINE 184FT, TH SWLY 270 FT + OR - TO WLY LINE OF SD LOT 9, TH SLY ALG SD WLY LINE TO POB	9095 East River Rd.
35-31-24-43-0034 LOTS 1 & 2 BLK 5 PLEASURE CREEK COLEMAN ACRES PLAT 1; EX N 165 FT THEREOF; SUBJ TO EASE OF REC	NA
24-31-24-13-0088 LOT 1 BLOCK 4 PLYMOUTH PARK , EX RD SUBJ TO EASE OF REC	NA
25-31-24-13-0055 OUTLOT A SUNNYSIDE PARK, EX PRT PLATTED AS BEHUN 2ND ADD, SUBJ TO EASE OF REC	NA
25-31-24-41-0008 THE S 353 FT OF LOT 3 BLOCK 5 TWIN CITY TERRACE - ALL HWY	NA
09-31-24-24-0018 LOT 4 BLOCK 2 LUNDGREN OAKS WHICH LIES IN THE NE1/4 OF SW1/4 OF SEC 9 TWP 31 RGE 24 , EX RD SUBJ TO EASE OF REC	NA
04-31-24-24-0058 LOT 4 BLOCK 1 STONELIGHT ESTATES	13009 Crooked Lake Blvd.
04-31-24-24-0059 LOT 5 BLOCK 1 STONELIGHT ESTATES	13003 Crooked Lake Blvd.
04-31-24-24-0060 LOT 6 BLOCK 1 STONELIGHT ESTATES	12981 Crooked Lake Blvd.

WHEREAS, the Properties have been forfeited to the State of Minnesota for nonpayment of taxes, and

WHEREAS, Coon Rapids City Council finds that the Properties would provide optimal use if sold at an auction to the highest bidder or sold to an abutting property owner.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Coon Rapids, Minnesota, that Anoka County is hereby authorized to sell the following described tax forfeit properties.

PIN/LEGAL DESCRIPTION	ADDRESS
35-31-24-11-0016 THAT PRT OF LOT 9 BLOCK 1 AQUA VISTA DESC AS FOL: COM AT SW COR OF SD LOT TH N 24 DEG 46 MIN 32 SEC W ALG W LINE THEREOF 37.2 FT TO POB, TH N 76 DEG 55 MIN 23 SEC E 202.21 FT, TH N ALG E LINE 184FT, TH SWLY 270 FT + OR - TO WLY LINE OF SD LOT 9, TH SLY ALG SD WLY LINE TO POB	9095 East River Rd.
35-31-24-43-0034 LOTS 1 & 2 BLK 5 PLEASURE CREEK COLEMAN ACRES PLAT 1; EX N 165 FT THEREOF; SUBJ TO EASE OF REC	NA
24-31-24-13-0088 LOT 1 BLOCK 4 PLYMOUTH PARK , EX RD SUBJ TO EASE OF REC	NA
25-31-24-13-0055 OUTLOT A SUNNYSIDE PARK, EX PRT PLATTED AS BEHUN 2ND ADD, SUBJ TO EASE OF REC	NA
25-31-24-41-0008 THE S 353 FT OF LOT 3 BLOCK 5 TWIN CITY TERRACE - ALL HWY	NA
09-31-24-24-0018 LOT 4 BLOCK 2 LUNDGREN OAKS WHICH LIES IN THE NE1/4 OF SW1/4 OF SEC 9 TWP 31 RGE 24 , EX RD SUBJ TO EASE OF REC	NA
04-31-24-24-0058 LOT 4 BLOCK 1 STONELIGHT ESTATES	13009 Crooked Lake Blvd.
04-31-24-24-0059 LOT 5 BLOCK 1 STONELIGHT ESTATES	13003 Crooked Lake Blvd.
04-31-24-24-0060 LOT 6 BLOCK 1 STONELIGHT ESTATES	12981 Crooked Lake Blvd.

Adopted by the Coon Rapids, Minnesota City Council this 3rd day of February 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



35-31-24-11-0016

Coon Rapids



Aerial Photo: Flawn Spring 2011



Prepared by: Anoka
County GIS Department
This is a digital file of a map and
not a physical map. It is not to be
used for legal purposes and does
not constitute a warranty of any
kind. It is the responsibility of the
user to verify the accuracy of the
information shown on the map.



35-31-24-43-0034

Coon Rapids





24-31-24-13-0088

Coon Rapids





25-31-24-13-0055

Coon Rapids





25-31-24-41-0008

Coon Rapids



Scale 1:200





09-31-24-24-0018

Coon Rapids





04-31-24-24-0058

Coon Rapids





04-31-24-24-0059

Coon Rapids





04-31-24-24-0060

Coon Rapids





City Council Regular

18.

Meeting Date: 02/03/2015

Subject: Consider Approval to Purchase Equipment for Golf Course

From: Sharon Legg, Finance Director

INTRODUCTION

Staff is seeking approval to purchase equipment for the Golf Course.

DISCUSSION

Funds are included in the 2015 Budget for the following equipment for the Golf Course.

	Purchase	Trade	Net
Greens mowers (2)	56,366	8,000	48,366
Fairway mowers (2)	95,695	3,000	92,695
Electric golf carts (100)	400,000	80,000	320,000
Total	552,061	91,000	461,061

At budget time, staff was not certain whether or not it would make financial sense to outright purchase the golf carts, lease (rent) them or enter into a lease to purchase. Bids were requested for all three options.

Council authorized advertising for bids for the golf carts as well as four beverage hospitality vehicles, eight maintenance vehicles and up to two six-passenger hospitality vehicles on December 16, 2014. It was unclear in December whether or not the City would need the hospitality vehicles since the previous restaurant operator was leasing a six-passenger vehicle as well as the beverage vehicles. The City has since received a quote to outright purchase beverage vehicles as well as one six-passenger vehicle that Harvest Grill had been leasing from Club Car in the past. It makes financial sense to purchase these vehicles at this time rather than buy new ones. The purchase price for the six passenger people mover is \$4,849 and the price for all three hospitality carts is \$14,484 before sales tax. The total cost for the used equipment is \$20,657 with sales tax.

Three bids were obtained for golf cars, beverage vehicles, six-passenger vehicles and maintenance vehicles from the following vendors:

	Versitile Vehicles	Club Car MN	Yamaha
Golf carts (100)	425,000	404,762	430,600
Trade-in	(120,000)	(110,000)	(104,500)
Maintenance vehicles (6-gas)	33,300	47,710	31,136
Maintenance vehicles (2 electric)	15,600	16,077	10,379
Subtotal	353,900	358,549	367,614
Sales tax	24,331	24,650	25,273
Total	378,231	383,199	392,887

Staff is recommending a five year lease to own purchase of EzGo Electric Carts from Versatile Vehicles. The interest rate included in the lease is 2.5 percent.

The State Purchasing Contract includes the two Toro greens mowers and two Toro fairway mowers on the contract at prices of \$58,298 and \$95,004, respectively, without sales tax from MTI Distributing, Inc. MTI Distributing Inc has offered trade ins for the greens mowers and rough mowers of \$7,000 and \$4,426, respectively, for a total purchase price of \$151,737 which includes sales tax. Staff recommends that the trade-in price is reasonable and be accepted from MTI Distributing, Inc.

The City Code requires that for capital outlay items, funds shall be expended only for the specific items enumerated with the budget unless there is Council approval. Therefore, the recommendation to Council will include the request for authorization for the maintenance vehicles as well as the used equipment leased by the previous restaurant operator since they were not specifically included in the budget. Given the lease arrangement rather than outright purchase, funds will be available without a budget modification.

RECOMMENDATION

Staff recommends:

1. Lease to own over five years 100 golf carts, six gas maintenance vehicles and two electric maintenance vehicles.
 2. Purchase of two greens mowers and two fairway mowers from MTI Distributing, Inc. at a net cost of \$151,737 after sales tax and trade in allowance.
 3. Purchase one used six person people mover and three hospitality vehicles from Club Car at a total cost of \$20,657.
-



City Council Regular

19.

Meeting Date: 02/03/2015

Subject: Consider Selection of Consultant to Perform Executive Search Services for City Manager Position

Submitted For: Steve Gatlin, City Manager

From: Matt Stemwedel, Assistant City Manager

INTRODUCTION

At a work session prior to tonight's regular meeting, the City Council considered options for selecting a consultant to perform executive search services for the City Manager position.

DISCUSSION

City Manager Steve Gatlin has announced his retirement effective May 29, 2015. Staff has received proposals from two consultants to perform executive search services to select a new City Manager. These proposals were discussed by the City Council at a work session immediately preceding tonight's regular meeting.

RECOMMENDATION

Staff recommends the City Council make a motion to select a consultant to perform executive search services and to authorize City staff to work with the designated consultant to begin the search process.



City Council Regular

20.

Meeting Date: 02/03/2015

Subject: Consider Resolution 16-6(8) Approving Plans and Specifications and Ordering Advertisement for Bids - Project 15-6, 2015 Sanitary Sewer Lining

Submitted For: Tim Himmer, Public Works Director **From:** Cher Ridout, Admin Secretary II

INTRODUCTION

As part of the 10 year capital improvement program, we have selected several neighborhoods to continue the sanitary sewer lining program. Lining in 2015 will be done in several areas as shown on the attached map. Our consulting engineer, SEH, Inc., has completed plans and specifications for the next phase of the sanitary sewer lining program. Council is requested to approve plans and specifications and order the advertisement for bids.

DISCUSSION

The City is continuing the lining program for the sanitary sewer system that began in 2008. Lining will be done in areas where the sanitary sewer pipe exhibits significant maintenance concerns due to root intrusion and open joints. Pipe material is clay pipe that was installed in the 1960s and 1970s. The project will include work only on the main line sanitary sewer. All segments to be lined have been televised. Where we have noticed apparent service problems with roots, the homeowners have been notified. It has been suggested that the homeowners have their service line cleaned prior to the beginning of the lining project.

Bids will be advertised in February with the bid opening scheduled for February 25, 2015. Work would begin in April and be completed in November of 2015.

RECOMMENDATION

It is recommended the Council adopt Resolution No. 15-6(8) approving plans and specifications and ordering advertisement for bids for the 2015 Sanitary Sewer Lining Program.

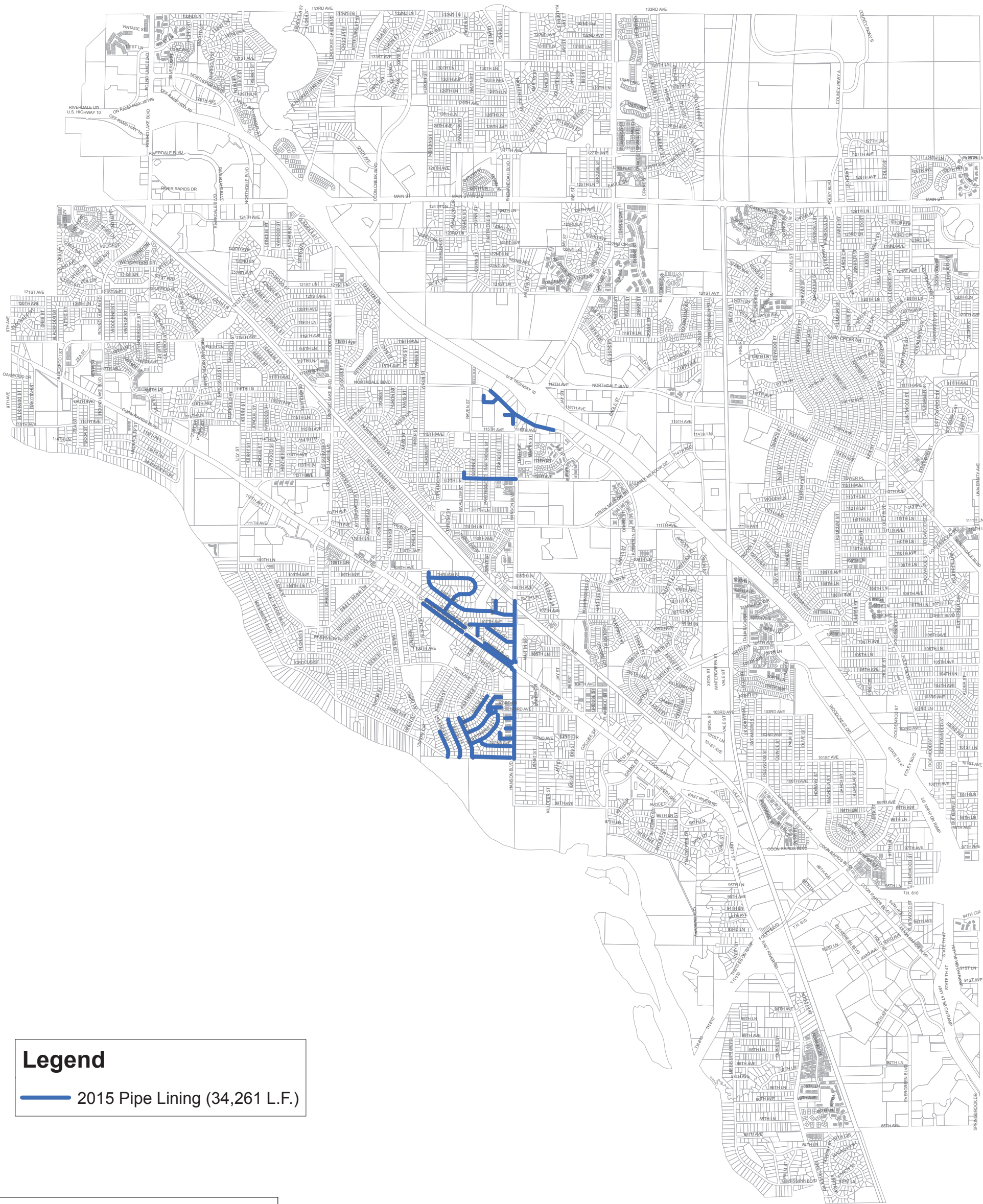
BUDGET IMPACT:

The total estimated construction cost for the project is \$1,180,000. Funds have been budgeted in the Sanitary Sewer Utility Fund for this work.

Attachments

Location Map

Resolution No. 15-6(8)



Legend

2015 Pipe Lining (34,261 L.F.)



COON
RAPIDS
Minnesota

01,400

Feet

Project: COONR 130838
Print Date: 12/23/2014

Map by: dc
Projection: MN SP South Nad 83 ft
Source: City of Coon Rapids, SEH

Sanitary Sewer 2015 Planned Pipe Lining

Sanitary Sewer Pipe Lining Program

Coon Rapids, MN

Figure
1

RESOLUTION NO. 15-6(8)

**(8) RESOLUTION APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, SEH, Inc. has prepared plans and specifications for the improvement of the City's sanitary sewer system by lining existing sewer pipe and has presented such plans and specifications to the Council for approval; and

WHEREAS, the City of Coon Rapids expects to reimburse all or a portion of the project expenditures with the proceeds of debt to be incurred by the City; and

WHEREAS, this declaration is made pursuant to Section 1.103-18 of the Income Tax Regulations of the Internal Revenue Service.

NOW THEREFORE, BE IT RESOLVED by the City Council of Coon Rapids, Minnesota:

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper and in a trade journal, if applicable, an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 21 days, shall specify the work to be done, shall state that bids will be received by the Clerk until 10:00 a.m. on the 25th day of February, 2015, at which time they will be publicly opened in the City Hall by the City Clerk and Engineer, will then be tabulated, and will be considered by the Council at 7:00 p.m. on the 3rd day of March, 2015, in the Council Chambers, and that no bids will be considered unless sealed and filed with the Clerk and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the Clerk for 5% of the amount of such bid.

Adopted this 3rd day of February, 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk



City Council Regular

21.

Meeting Date: 02/03/2015

Subject: Consider Introduction of Ordinance Revising Temporary On-Sale Intoxicating Liquor Licenses

From: Joan Lenzmeier, City Clerk

INTRODUCTION

Council is asked to consider introduction of Ordinance Revising Temporary On-Sale Intoxicating Liquor Licenses.

DISCUSSION

It was brought to the attention of Council and Staff by several of our non-profit groups that they are struggling to acquire 3.2 beer for sale at their community events. At that time, Council asked staff to look into an amendment to the Temporary Liquor License Code.

The proposed amendment would allow Coon Rapids based charitable, religious or non-profit organizations to sell strong beer and wine at community events.

RECOMMENDATION

Introduce Ordinance Revising Temporary On-Sale Intoxicating Liquor Licenses.

Attachments

On-Sale Liquor Ordinance

ORDINANCE NO.

**AN ORDINANCE REVISING TEMPORARY ON-SALE
INTOXICATING LIQUOR LICENSES AND THEREBY AMENDING
REVISED CITY CODE – 1982 SECTION 5-209(6)**

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Section 5-209(6) is hereby amended as follows:

(deletions in brackets, additions double underlined)

5-209 Types of Licenses and Fees.

- (6) Temporary On-Sale Intoxicating Liquor Licenses. The Council may issue temporary on-sale licenses for the sale of intoxicating liquor, subject to the following:
- (a) The license will only be issued to a Coon Rapids based charitable, religious or non-profit organization in existence for at least three years.
 - (b) A temporary on-sale intoxicating liquor license will only be issued for the purpose of a licensee to [~~conduct a wine tasting of not more than four hours duration~~] sell intoxicating liquor on premises the organization owns or leases or has donated to it, or on the licensed premises of a holder of an on-sale intoxicating liquor license that is not a temporary license. Such [~~wine tasting~~] temporary on-sale intoxicating liquor sales shall be limited to strong beer and wine only and will be held in connection with a social event sponsored by the licensee.
 - (c) The license will be issued for a specific date, time, and place.
 - (d) No more than three temporary on-sale intoxicating licenses for the purpose of conducting a wine tasting will be issued to any one eligible organization in any calendar year.
 - (e) The license fee will be established from time to time by ordinance of the City Council.
 - (f) No license issued under this subdivision will be valid unless first approved by the Commissioner of Public Safety.
 - (g) All provisions of Minnesota Statute §304A.418 shall apply. [Revised 2/17/09, Ordinance 1999]

Introduced this 3rd day of February 2015.

Adopted this ____ day of _____ 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk